

JAN. 6. 2005 3:59PM

(2)-FISH&RICHARDSON_6175428906

NO. 3538 P. 2

Attorney's Docket No.: 02103-347001 / AABOSS02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J. Richard Aylward
Serial No. : 09/220,821
Filed : December 24, 1998
Title : AUDIO SIGNAL PROCESSING

Art Unit : 2644
Examiner : Ping W. Lee

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MAIL STOP AF
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT E

Dear Commissioner:

Responsive to the final action dated October 6, 2004, please amend the above-identified application in accordance with the following pages.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the above address, or being facsimile transmitted to the USPTO, on the date indicated below.

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Charles Nielsen

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JAN. 6. 2005 4:01PM

(2)-FISH&RICHARDSON_6175428906

NO. 3538 P. 10

Applicant : J. Richard Aylward
Serial No. : 09/220,821
Filed : December 24, 1998
Page : 9 of 9

Attorney's Docket No.: 02103-347001 / AABOSS02

10. The allowability of claims 24-34, 36 and 40-42 is noted. Since claim 35 is dependent upon and includes all the limitations of claim 34, claim 34 is generic to claim 35, and allowance of this claim is respectfully requested.

In view of the forging cancellations, amendments, remarks, and since all the presently active claims contain allowable subject matter, this application is submitted to be in a condition for allowance, and notice thereof is respectfully request. Should the Examiner believe the application is not in a condition for allowance, she is respectfully requested to telephone the undersigned attorney at 617-521-7014 to discuss what additional steps she believes are necessary to place the application in a condition for allowance.

Please charge 400.00 for the additional independent claims and apply any other charges or credits to deposit account 06-1050, Order No. 02103-347001.

Respectfully submitted,
Fish & Richardson P.C.

JAN - 6 2005

Date: _____

Charles Hieken
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number <u>091220321</u>
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CLAIMS AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

SMALL ENTITY

RATE	FEES
\$	
X \$ =	*
X \$ =	
+ \$ =	

TOTAL

OTHER THAN
SMALL ENTITY

RATE	FEES
\$	
X \$ =	*
X \$ =	
+ \$ =	

TOTAL

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

1-6-05

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	22	Minus	** 48	= 0
	Independent (37 CFR 1.16(b))	9	Minus	*** 7	= 2
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	
+ \$ =	
TOTAL ADD'L FEE	

OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	400.00
+ \$ =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	
+ \$ =	
TOTAL ADD'L FEE	

OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	
+ \$ =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
				RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus	**	=
	Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	
+ \$ =	
TOTAL ADD'L FEE	

OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ =	
X \$ =	
+ \$ =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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